

**SUPREME COURT MINUTES
WEDNESDAY, FEBRUARY 18, 1998
SAN FRANCISCO, CALIFORNIA**

S066106 People, Respondent
6th Dist. v.
H015048 Arashiek Wesley L. Williams, Appellant
 Appellant's petition for review GRANTED.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Chin, J.
Brown, J.

S066143 People, Respondent
2nd Dist. v.
B106805 Kevin Alpine Callihan, Appellant
Div. 1 Respondent's petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Deloza*, S061929 and *People v. Nelson*, S053008 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S066198 People, Respondent

3rd Dist. v.

C020644 Cedric Cotton, Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Deloza*, S061929 and *People v. Nelson*, S053008 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S066244 People, Respondent

5th Dist. v.

F026754 Stephen Robert Nelms, Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Davis*, S062739 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S066488 People, Respondent
2nd Dist. v.
B103021 Roy Rios Alvarez, Appellant
Div. 5 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Deloza*, S061929 and *People v. Nelson*, S053008 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S066747 Associated Builders and Contractors, Inc. et al., Appellants
1st Dist. v.
A076022 San Francisco Airports Commission, Respondent
Div. 2 San Mateo County Building and Construction Trades Council,
Real Party in Interest
Petition for review GRANTED.

Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S066874 Mary Kobzoff et al., Appellants
2nd Dist. v.
B099100 Harbor U.C.L.A. Medical Center et al., Respondents
Div. 5 Petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S067030 California Teachers' Association et al., Respondents
3rd Dist. v.
C019678 State of California et al., Appellants
Appellant's petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S067044 Theresa J. Cantine, Appellant
2nd Dist. v.
B109774 Marshall Jackson, Respondent
Div. 5 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Reno v. Baird*, S065473 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Werdegarr, J., did not participate.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Chin, J.
Brown, J.

S067485 Associated Builders and Contractors, Inc., Appellant
2nd Dist. v.
B109426 Metropolitan Water District of Southern California
Div. 7 Petition for review GRANTED.

Baxter, J.
Werdegarr, J.
Chin, J.
Brown, J.

S060579 In re Oscar Lee Morris
 on
 Habeas Corpus

The Director of Corrections is ordered to show cause returnable before the Los Angeles County Superior Court, when the matter is order on calendar, why petitioner is not entitled to relief based on his allegation that Joe West gave false testimony at his trial. (Pen. Code § 1473, subd. (b)(1).) The return shall be filed on or before March 11, 1998.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Brown, J.

2nd Dist. CNA Insurance Company, Petitioner
B116227 v.
Div. 1 Workers' Compensation Appeals Board et al., Respondents
S066465 Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its order denying the writ petition and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

George, C.J.
Baxter, J.
Chin, J.
Brown, J.

2nd Dist. Jennifer Henry, Petitioner

B116313 v.

Div. 6 Workers' Compensation Appeals Board et al., Respondents

S066674 Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its order denying the writ petition and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

George, C.J.

Mosk, J.

Kennard, J.

Werdegar, J.

Chin, J.

S012032 People, Respondent

v.

Robert Green Fairbank Jr., Appellant

Petition for rehearing DENIED.

Opinion modified.

S057262 People, Respondent

4th Dist. v.

G017104 Scott Alden Whitson, Appellant

Div. 3 Motion to modify opinion DENIED.

S066866 Jimi Deshawn Marshall, Petitioner

v.

Court of Appeal Second Aplt District - Div. 7, Respondent

People, Real Party in Interest

Petition for writ of mandate DENIED.

S066943 Chris Lucas, Petitioner

v.

Court of Appeal Second Appellate District - Div. 1, Respondent

Petition for writ of mandate DENIED.

S067057 Gary Eugene Kukes, Petitioner

v.

Third District Court of Appeal, Respondent

People, Real Party in Interest

Petition for writ of mandate DENIED.

S067084 Clarence L. Hearn, Petitioner

v.

Second District Court of Appeal, Respondent

People, Real Party in Interest

Petition for writ of mandate DENIED.

S067308 Tong Park, Petitioner

v.

First District Court of Appeal Division Three, Respondent

County of San Mateo, Real Party in Interest

Petition for writ of mandate DENIED.

S042650 In re Darren Charles Williams

on

Habeas Corpus

The petition for writ of habeas corpus is denied. The following claims are denied as moot (see *People v. Williams* (1997) 16 Cal.4th 635, 691): XVII (juror misconduct at the special-circumstance retrial); XVIII (juror misconduct at the penalty-phase trial); XX (validity of stolen mail conviction); XXX (improper consideration of probation report at Penal Code section 190.4(e) hearing); and XXXIII (arbitrary and capricious imposition of death penalty). To the extent the remaining contentions pertain to the special-circumstance finding, the penalty-phase trial, or the judgment of death, they are also denied as moot. To the extent these claims are not moot, they are denied on the merits. The following claims are also denied on the additional ground that they were raised and rejected on appeal, and no exceptions to this procedural bar appear (*In re Walthers* (1965) 62 Cal.2d 218, 225; see *In re Harris* (1993) 5 Cal.4th 813, 829-841): XVI (juror misconduct at the guilt phase); XXI (judicial conflict of interest); XXII (challenges to death-prone jurors); XXIII (allowing jury to transfer intent to kill Valerie Taylor to impute intent to kill four victims); XXIV (inadequate instructions

on aider and abettor liability for unplanned crimes); XXV (inadequate instructions and insufficiency of evidence as to concurrence of act and intent of aider and abettor); and XXVI (misleading instruction in response to jury questions on diminished capacity and failing to instruct on intoxication as negating specific intent).

Mosk, J., and Brown, J., would deny the petition solely on the merits.

S053046 In re Maurice J. Keenan
 on
 Habeas Corpus

The petition for habeas corpus is denied on the substantive ground that it is without merit.

Every claim except Claims 20, 21, 22, and 23 is also denied, separately and independently, on the procedural ground (see *Harris v. Reed* (1989) 489 U.S. 255, 264, fn. 10) that it is untimely, in that each is based on facts which long were known, or should have been known, to petitioner and his counsel, no adequate explanation for the delay in presentation is provided, and no exception to the requirement of timeliness appears. (See *In re Clark* (1993) 5 Cal.4th 750, 763-799.)

Claims 12 (subclaims of negligent loss of evidence and untimely notice of lost evidence) and 13 (subclaims re juror unanimity and penalty-phase consideration of “all” guilt-phase evidence) are also denied, separately and independently, on the procedural ground (see *Harris v. Reed, supra*, 489 U.S. at p. 264, fn. 10) that they were raised and rejected on appeal, and no exceptions to this procedural bar appear. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; see *In re Harris* (1993) 5 Cal.4th 813, 829-841.)

Claims 4 (to the extent based solely on the appellate record), 8, 9 (to the extent based solely on the appellate record), 12 (except subclaims of negligent loss of evidence and untimely notice of lost evidence, and otherwise to the extent based solely on the appellate record), 13 (except subclaims re juror unanimity and penalty-phase consideration of “all” guilt-phase evidence), 15, 16, 22, 23, and 24 are also denied, separately and independently, on the procedural ground (see *Harris v. Reed, supra*, 489 U.S. at p. 264, fn. 10) that they could and should have been, but were not, raised on appeal, and

no exceptions to this procedural bar appear. (*In re Dixon* (1953) 41 Cal.2d 756, 759; see *In re Harris, supra*, 5 Cal.4th at pp. 829-841.)

Mosk, J., and Brown, J., would deny the petition solely on the merits.

S065341 In re Bernard Lee Hamilton
 on
 Habeas Corpus

The petition for writ of habeas corpus is denied on the substantive ground that it is without merit. Separately and independently, it is denied on the procedural ground (see *Harris v. Reed* (1989) 489 U.S. 255, 264, fn. 10) that it is untimely, without justification or excuse and outside any exception, including that for a fundamental miscarriage of justice (see generally *In re Clark* (1993) 5 Cal.4th 750, 763–799): the claims therein were not presented within a reasonable time after their legal and factual bases were, or should have been, discovered (see *id.* at pp. 784–785). Separately and independently, it is also denied on the procedural ground (see *Harris v. Reed, supra*, 489 U.S. at p. 264, fn. 10) that it is repetitive, without justification or excuse and outside any exception, including that for a fundamental miscarriage of justice (see generally *In re Clark, supra*, 5 Cal.4th at pp. 763–799): the claims therein were raised, and rejected, on habeas corpus previously (*In re Bernard Lee Hamilton on Habeas Corpus*, S062705, den. Aug. 20, 1997) (see *In re Clark, supra*, 5 Cal.4th at p. 767; *In re Miller* (1941) 17 Cal.2d 734, 735).

Mosk, J., and Brown, J., would deny the petition solely on the merits.

Orders were filed in the following matters denying petition for writ of habeas corpus:

S059944 - In re Robert Thomas Wright on Habeas Corpus.

S060631 - In re Linda Ricchio Navarro on Habeas Corpus.

S063134 - In re Arnold Edward Chairez on Habeas Corpus. Petition for writ of habeas corpus is DENIED.

Kennard, J., is of the opinion an order to show cause should issue.

S066635 - In re Kenneth Barnes on Habeas Corpus.

S067728 - In re Joseph Manuel Montes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*People v. Holt* (1997) 15 Cal.4th 619, 709; *People v. Horton* (1995) 11 Cal.4th 1068, 1141.)

1st Dist. Antonio M. Garcia, Respondent
A068031 v.
Div. 2 Vivek Hejmadi et al., Appellants
S066095 Respondent's petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

1st Dist. Blue Boar Inn, etc. et al., Appellants
A073141 v.
Div. 2 Great American Insurance Companies et al., Respondents
S067050 Appellants' petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A073232 v.
A076731 David Rajesh Harbans, Appellant
Div. 2 -----
S066165 In re David Rajesh Harbans on Habeas Corpus
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A074387 v.
Div. 5 Joe Evins, Appellant
S067148 Appellant's petition for review DENIED.

1st Dist. Doyaline Marchbanks, Respondent
A075200 v.
Div. 4 Fidelity National Title Insurance Company, Appellant
S066896 Appellant's petition for review DENIED.

1st Dist. People, Appellant
A075656 v.
Div. 3 Frederick Douglas Bennett, Respondent
S066462 Respondent's petition for review DENIED.

1st Dist. People, Respondent

A075729 v.
Div. 5 Joel Ruelas Aguilar, Appellant
S066405 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A076587 v.
Div. 5 Kenneth Barnes, Appellant
S066115 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A076615 v.
Div. 1 Eric Edwards, Appellant
S066361 Appellant's petition for review DENIED.

1st Dist. In re Emil J. Ekdahl
A076671 on
Div. 1 Habeas Corpus
S066648 Petition for review DENIED.

1st Dist. People, Respondent
A076763 v.
Div. 5 Robert Franklin Stover, Appellant
S066994 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A076767 v.
Div. 3 Andres Villa Flores, Appellant
S067170 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A076853 v.
Div. 1 Lanny Wayne Poindexter, Sr., Appellant
S067220 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A076974 v.
Div. 1 Joe E. Myers, Appellant
S067064 Appellant's petition for review DENIED.

1st Dist. A077031 Div. 5 S066998	People, Respondent v. Unree Harrell, Appellant Appellant's petition for review DENIED.
1st Dist. A077152 Div. 4 S066928	Kenneth L. Gribbsby, Appellant v. Bay Area Rapid Transit District, Respondent Appellant's petition for review DENIED.
1st Dist. A077815 Div. 4 S067078	James K. Ho, Appellant v. State Board of Equalization, Respondent Petition for review DENIED.
1st Dist. A078300 Div. 1 S067121	People, Respondent v. Rudy Lewis Brown, Appellant Appellant's petition for review DENIED.
1st Dist. A078677 Div. 2 S066986	Patricia A. McColm, Appellant v. Dow Jones et al., Respondents Appellant's petition for review DENIED.
1st Dist. A080287 Div. 5 S067106	In re Terry D. Parker on Habeas Corpus Petition for review DENIED.
1st Dist. A080303 Div. 4 S065650	First Healthcare Corporation, Petitioner v. Marin County Superior Court, Respondent Shirley M. Kison, Real Party in Interest Petition for review DENIED.

- 1st Dist. Frederick S. Mayer, Petitioner
A080371 v.
Div. 3 Regents of the University of California, Respondent
S067067 Trustees of Leland Stanford Junior University et al.,
Real Parties in Interest
Petition for review and request for judicial notice DENIED.
Mosk, J., is of the opinion the petition should be granted.
Werdegar, J., did not participate.
- 1st Dist. Thomas M. Di Franco et al., Respondents
A080441 v.
Div. 5 Mathilde Oppenheim, Appellant
S067021 Appellant's petition for review DENIED.
- 1st Dist. Ernest Slye III, Petitioner
A080537 v.
Div. 2 Workers' Compensation Appeals Board et al., Respondents
S066860 Petition for review DENIED.
- 1st Dist. Gilbert Morris et al., Petitioners
A080786 v.
Div. 5 San Francisco County Superior Court et al., Respondents
S066588 Abex Corp. et al., Real Parties in Interest
Petition for review DENIED.
- 1st Dist. California Nurses Association et al., Petitioners
A080913 v.
Div. 3 Alameda County Superior Court, Respondent
S067229 Regents of the University of California et al., Real Parties in Interest
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.
Werdegar, J., did not participate.
- 1st Dist. In re Manuel A. Wagan
A081067 v.
Div. 2 Habeas Corpus
S067028 Petition for review DENIED.

1st Dist. John Crosthwaite, Petitioner
A081093 v.
Div. 2 Alameda County Superior Court, Respondent
S067241 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. Frank Clow et al., Appellants
B080548 v.
B090351 Nikken Abe et al., Respondents
B090801 Appellants' petition for review DENIED.
Div. 4
S066942

2nd Dist. Max Killingsworth, Appellant
B086587 v.
Div. 4 Taxpayers Against Fraud et al., Respondents
S066561 Petition for review DENIED.

2nd Dist. Continental Insurance Company et al., Respondents
B095715 .
Div. 3 Armani Bakery Incorporated et al., Appellants
S050681 Petition for review DENIED.

2nd Dist. People, Respondent
B097229 v.
Div. 7 Gabriel Rangel, Appellant
S066230 Appellant's petition for review DENIED.

2nd Dist. Diana Cheyovich et al., Appellants
B098164 v.
Div. 7 San Marino Unified School District et al., Respondents
S066879 Petition for review DENIED.

2nd Dist. Darlene Bradford, Respondent
B098281 v.
Div. 2 James Quan, Appellant
S067171 Respondent's petition for review DENIED.
Mosk, J., Kennard, J., and Brown, J., are of the opinion the
petition should be granted.

2nd Dist. B098643 Div. 2 S066983	Jessica Chatfield, Respondent v. Patricia Carpenter Morgan, Appellant Petition for review DENIED.
2nd Dist. B098810 Div. 1 S067051	Drisson Corporation, Appellant v. Albert Darakjian et al., Respondents Albert Cohen et al., Appellants Petition for review DENIED.
2nd Dist. B100718 Div. 4 S066754	Alsenia Davis, Respondent v. Continental Airlines Inc. et al., Appellants Appellants' petition for review DENIED. The request for an order directing depublication of the opinion is DENIED.
2nd Dist. B101014 Div. 1 S066533	People, Respondent v. Jose Ruiz Naranjo, Appellant Appellant's petition for review DENIED.
2nd Dist. B101412 Div. 1 S053592	In re the Marriage of William & Karen O'Connor ----- William O'Connor, Respondent v. Karen O'Connor, Appellant Petition for review DENIED.
2nd Dist. B101597 Div. 4 S067185	People, Respondent v. Mayfield Thompson, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B101650 Div. 7 S067027	People, Respondent v. Carl Edward Bibbs et al., Appellants Appellants' petitions for review DENIED. Mosk, J., is of the opinion the petition should be granted.

2nd Dist. B102223 Div. 7 S067256	People, Respondent v. Gustavo Valdez Sanchez et al., Appellants Appellants' petition for review DENIED.
2nd Dist. B102225 Div. 6 S067201	People, Respondent v. David Michael Quigley, Appellant Appellant's petition for review DENIED.
2nd Dist. B102260 Div. 2 S067072	People, Respondent v. Joon Lee, Appellant Petition for review DENIED.
2nd Dist. B102560 Div. 1 S066500	People, Respondent v. George Carrasco, Appellant Appellant's petition for review DENIED.
2nd Dist. B102579 Div. 4 S067059	People, Respondent v. Robert Anthony Morris, Appellant Appellant's petition for review DENIED.
2nd Dist. B102917 Div. 2 S067101	People, Respondent v Rafael A. Ibarra, Appellant Appellant's petition for review DENIED.
2nd Dist. B103038 Div. 5 S066050	People, Respondent v. Billy Ray Mallard, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B103098 Div. 2 S066139	People, Respondent v. John Robert Flowers et al., Appellants Appellants' petition for review DENIED.
2nd Dist.	People, Respondent

B103356 v.
Div. 7 Mauricio Lara, Appellant
S067137 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B103365 v.
Div. 2 Anthony Williams, Appellant
S066027 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B103631 v.
Div. 2 Warren Chris James, Appellant
S067200 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B103775 v.
Div. 2 Ronald P. Davenport, Appellant
S066380 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. S. Reisler Ross, Appellant
B103777 v.
Div. 3 Ford Motor Company, Respondent
S061082 Petition for review DENIED.

2nd Dist. In re Sheria T., Persons Coming Under the Juvenile Court Law
B103987 -----
Div. 3 Los Angeles County Department of Children etc., Respondent
S063188 v.
Christopher T., Appellant
Petition for review DENIED.

2nd Dist. In re Charles Gross on Habeas Corpus
B104182 -----
B113365 People, Respondent
Div. 1 v.
S067045 Charles Gross, Appellant
Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B104533 v.
Div. 7 Francisco J. Sanchez, Appellant
S066378 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B105307 v.
Div. 3 Freddie L. Maroney, Appellant
S067227 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B105385 v.
Div. 6 Roger Antoniotti, Appellant
S067168 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B105809 v.
Div. 2 Angelo Robert Chavez, Appellant
S067036 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106098 v.
Div. 5 Durnell Lacy, Appellant
S066010 Appellant's petition for review DENIED.

2nd Dist. James Pieper et al., Appellants
B106201 v.
Div. 3 Commercial Underwriters Insurance Company, Respondent
S067242 Appellants' petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B106584 v.
Div. 4 Jorge Iniquez Sr. et al., Appellants
S067204 Appellants' petition for review DENIED.

2nd Dist. People, Respondent
B106666 v.
Div. 7 Jose Luis Lara, Appellant
S067081 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106705 v.
Div. 7 Alan James Springer, Appellant
S067035 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106939 v.
Div. 3 Steven Martell Collins, Appellant
S066785 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106966 v.
Div. 1 David Fuentes Hernandez, Appellant
S067014 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107090 v.
Div. 2 Elroy Tolbert II, Appellant
S066306 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107287 v.
Div. 5 Michael Evans, Appellant
S066997 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107429 v.
Div. 1 Robert Willie Frost, Appellant
S066339 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107502 v.
Div. 2 Ted Titmas, Appellant
S066385 Appellant's petition for review DENIED.

2nd Dist. Leon S. Kaplan, Appellant
B107510 v.
Div. 6 Coldwell Banker Residential Affiliates, Respondent
S067022 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B107617 v.
Div. 5 Preston W. Braxton, Appellant
S067089 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107676 v.
Div. 1 James Rials, Appellant
S067016 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107684 v.
Div. 7 Dewayne Darnell Jackson, Appellant
S067075 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107738 v.
Div. 4 Orlando Ulloa, Appellant
S066981 Appellant's petition for review DENIED.

2nd Dist. Addie Miller et al., Appellants
B107946 v.
Div. 3 Richard Mayor Riordan et al., Respondents
S067073 Appellants' petition for review DENIED.

2nd Dist. People, Respondent
B108663 v.
Div. 3 Ascencion Guevara Canela, Appellant
S067144 Appellant's petition for review DENIED.

2nd Dist. Los Angeles County Metropolitan Transportation, Respondent
B108902 v.
Div. 1 Shea-Kiewit-Kenny, Appellant
S067038 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B108996 v.
Div. 2 Norman W. Hirscher, Appellant
S067217 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B109226 v.
Div. 1 Robert E. Hardy, Appellant
S067116 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B109325 v.
Div. 6 John Charles Alvez, Appellant
S066830 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B109604 v.
B109605 Derrick Davis, Appellant
Div. 5 Appellant's petition for review DENIED.
S067107

2nd Dist. People, Respondent
B109760 v.
Div. 3 Carlos Geraldo Padilla, Appellant
S067175 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B110302 v.
Div. 2 Marvin J. Gray, Appellant
S067085 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B111578 v.
Div. 6 William Edward Fenske, Appellant
S067025 Appellant's petition for review DENIED.

2nd Dist. In re Javier Cortez
B116159 on
Div. 4 Habeas Corpus
S067152 Petition for review DENIED.

2nd Dist. Guadalupe Siddiqui et al., Petitioners
B116487 v.
Div. 5 Workers' Compensation Appeals Board et al., Respondents
S067086 Petition for review DENIED.

2nd Dist. B116671 Div. 7 S066520	In re Jesse Jose Perez on Habeas Corpus Petition for review DENIED.
2nd Dist. B116739 Div. 5 S066172	Joseph Wilkerson et al., Petitioners v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
2nd Dist. B116839 Div. 5 S067003	Wilma Wilson, Appellant v. State of California et al., Respondents Appellant's petition for review DENIED.
2nd Dist. B117410 Div. 1 S066870	American Motorists Insurance Company, Petitioner v. Los Angeles County Superior Court, Respondent Montrose Chemical Corp., Real Party in Interest Petition for review DENIED.
2nd Dist. B117540 Div. 3 S067250	People, Respondent v. Jonathan Morgan, Appellant Application for stay and petition for review DENIED.
2nd Dist. B117844 Div. 7 S066838	Lennie L. McKee, Petitioner v. Los Angeles County Superior Court, Respondent Wilma R. Johnson, Real Party in Interest Petition for review DENIED.
2nd Dist. B117914 Div. 1 S066993	Askia Sankofa Ashanti, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.

2nd Dist. Lost Hills of Calabasas Incorporated et al., Petitioners
B118128 v.
Div. 1 Los Angeles County Superior Court, Respondent
S067153 Steeplechase Homeowners Association, Real Party in Interest
Petition for review DENIED.

2nd Dist. Tresieras Brothers Corporation, Petitioner
B118691 v.
Div. 5 Jay R. Stroh Director of Alcoholic Beverage Control et al.,
S067647 Respondents
Application for stay and petition for review DENIED.

3rd Dist. People, Respondent
C019221 v.
S066455 Jamie Lomeli Gomez, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C019688 v.
S066126 Andre Lamont Swinney et al., Appellants
Appellants' petitions for review DENIED.
Mosk, J., Kennard, J., and Brown, J., are of the opinion the
petition should be granted.

3rd Dist. People, Respondent
C020346 v.
S066314 Delmar Wayne Payne, Jr., Appellant
Appellant's petition for review DENIED.

3rd Dist. Forty-Niner Truck Plaza Incorporated et al., Appellants
C021946 v.
S066178 Union Oil Company of California et al., Respondents
Petitions for review DENIED.

3rd Dist. Martin Souza et al., Appellants
C022484 v.
S067193 Burton Lauppe et al., Respondents
Appellants' petition for review DENIED.

3rd Dist. C022603 S066228	People, Respondent v. Lorie Sam, Appellant Appellant's petition for review DENIED.
3rd Dist. C023235 S066453	People, Respondent v. Torri Dwayne Franklin, Appellant Appellant's petition for review DENIED.
3rd Dist. C024466 S066401	People, Respondent v. Kobie Jamal Robinson, Appellant Appellant's petition for review DENIED.
3rd Dist. C024760 S066399	People, Respondent v. Javier Hector Gomez, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
3rd Dist. C024982 S066400	People, Respondent v. Bill Wiley Treadway, Appellant Appellant's petition for review DENIED.
3rd Dist. C025064 S066426	People, Respondent v. Arthur Charles Brincat, Appellant Appellant's petition for review DENIED.
3rd Dist. C025148 S066560	People, Respondent v. Sisto Quintanilla, Appellant Appellant's petition for review DENIED.
3rd Dist. C025531 S066254	People, Respondent v. Marcus Trameine Crumb, Appellant Appellant's petition for review DENIED.
3rd Dist.	In re Zachary H., a Person Coming Under the Juvenile Court Law

C026930 -----
S067166 Department of Health and Human Services, Respondent
v.
James H., Appellant
Petition for review DENIED.

3rd Dist. Lisa A. Dern, Petitioner
C027684 v.
S066722 Workers' Compensation Appeals Board et al., Respondents
Petition for review DENIED.

3rd Dist. Pedro Arias, Petitioner
C028092 v.
S066700 Sacramento County Superior Court, Respondent
Jan Scully as Sacramento County District Attorney,
Real Party in Interest
The Application to Include Additional Material with Petition for
Review, Pursuant to Rule 28(e)(6) of the California Rules of Court is
denied.
Petition for review DENIED.

3rd Dist. Mary Bruni, Petitioner
C028102 v.
S066744 Sacramento County Superior Court, Respondent
City of Sacramento, Real Party in Interest
Application for stay and petition for review DENIED.

3rd Dist. William L. Lyon & Associates et al., Petitioners
C028181 v.
S067235 Sacramento County Superior Court, Respondent
Cecilia M. Price et al., Real Parties in Interest
Petition for review DENIED.

3rd Dist. Gary Wisner et al., Petitioners
C028316 v.
S067203 Sacramento County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Matthew Benjamin, Petitioner
C028475 v.
S067616 Butte County Superior Court, Respondent
People, Real Party in Interest
Application for stay and petition for review DENIED.

4th Dist. In re Frank D'Angelo on Habeas Corpus
D024055 -----
D028723 People, Respondent
Div. 1 v.
S066393 Frank D'Angelo, Appellant
Appellant's petition for review DENIED.

4th Dist. Building Industry Association of San Diego, Appellant
D024615 v.
Div. 1 City of Oceanside, Respondent
S067083 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D025515 v.
Div. 1 Constantino Miguel Aguilar, Appellant
S066191 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D025859 v.
Div. 1 Darrell Rhone, Appellant
S067074 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D025981 v.
Div. 1 James Davis, Appellant
S067149 Appellant's petition for review DENIED.

4th Dist. Charles I. Feurzeig, etc. et al., Appellants
D026069 v.
Div. 1 Insurance Company of the West, Respondent
S066727 Respondent's petition for review DENIED.

4th Dist. D026541 Div. 1 S066328	People, Respondent v. Lorenzo Duwayne Johnson, Appellant Appellant's petition for review DENIED.
4th Dist. D026727 Div. 1 S067055	People, Respondent v. David Lewis, Appellant Appellant's petition for review DENIED.
4th Dist. D026819 Div. 1 S066059	People, Respondent v. Javier Arturo Ruiz, Appellant Appellant's petition for review DENIED.
4th Dist. D027207 Div. 1 S067070	People, Respondent v. Albert Jesus Nava, Appellant Appellant's petition for review DENIED.
4th Dist. D027512 Div. 1 S066980	People, Respondent v. William C. Cramp, Appellant Appellant's petition for review DENIED.
4th Dist. D027758 Div. 1 S067129	People, Respondent v. Timothy D. Fisher, Appellant Appellant's petition for review DENIED.
4th Dist. D029939 Div. 1 S066974	Northern Insurance Company of New York, Petitioner v. San Diego County Superior Court, Respondent Commercial Enterprises Inc. et al., Real Parties in Interest Petition for review DENIED.
4th Dist. D030018 Div. 1 S066906	Valerie S. Weiss, Appellant v. Fleet Mortgage et al., Respondents Application for stay and petition for review DENIED.
4th Dist.	People, Respondent

E004727 v.
Div. 2 Lucene Marion Cartier, Appellant
S012317 Appellant's petition for review DENIED.

4th Dist. Motel 6 L.P., Respondent
E016455 v.
Div. 2 Ralph Bwy, Appellant
S066653 Petition for review DENIED.

4th Dist. People, Respondent
E017703 v.
Div. 2 Bruce M. Cohn, Appellant
S066410 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E017782 v.
Div. 2 Shelvin Jones, Appellant
S066318 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E017856 v.
Div. 2 Thomas Edward Osborn, Appellant
S066392 Appellant's petition for review DENIED.

4th Dist. Dole Citrus, Appellant
E017912 v.
Div. 2 State of California, Respondent
S067017 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E017924 v.
Div. 2 Andrew John Martinez, Appellant
S067236 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E018054 v.
Div. 2 Daniel Joseph Hernandez, Appellant
S066039 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E018308 v.
Div. 2 Cedric Sanders, Appellant
S067222 Appellant's petition for review DENIED without prejudice to
filing a petition for writ of habeas corpus in the sentencing court.
(*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530,
fn. 13.)

4th Dist. People, Respondent
E018628 v.
Div. 2 Deborah Lynn Morales, Appellant
S067076 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E018894 v.
Div. 2 Alfonso Mendez Corona, Appellant
S067080 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E019361 v.
Div. 2 Angel Regalado, Appellant
S067143 Appellant's petition for review DENIED.

4th Dist. In re Jonatan O., a Person Coming Under the Juvenile Court Law
E019787 -----
Div. 2 People, Respondent
S067034 v.
Jonatan O., Appellant
Petition for review DENIED.

4th Dist. Charlotte Randall, Appellant
E020367 v.
Div. 2 Robert E. Mangels et al., Respondents
S067097 Appellant's petition for review DENIED.

4th Dist. Ontario-Montclair School District, Petitioner
E021630 v.
Div. 2 Workers' Compensation Appeals Board, Respondent
S066844 Jon R. Ball, Respondent
Petition for review DENIED.

4th Dist. In re Kenneth Bilal Akbar

E021650 on
Div. 2 Habeas Corpus
S066995 Petition for review DENIED.

4th Dist. In re Arnold Rickie Chase
E021659 on
Div. 2 Habeas Corpus
S066713 Petition for review DENIED. (See *In re Dexter* (1979) 25 Cal.3d
921, 924; Pen. Code section 1170(e); Cal. Code of Regs., tit. 15,
sections 3076, 3076.1, 3076.2, 3084.1.)

4th Dist. George O'Mary, Appellant
G015996 v.
Div. 3 Mitsubishi Electronics America, Incorporated, Respondent
S066977 Respondent's petition for review DENIED.

4th Dist. People, Respondent
G019121 v.
Div. 3 Duane Corbett Fox, Appellant
S066347 Appellant's petition for review DENIED.

4th Dist. Marguerite R. Weaver, Appellant
G022024 v.
Div. 3 Fountain Valley Regional Hospital et al., Respondents
S066583 Appellant's petition for review DENIED.

4th Dist. Eugene David Lyons, Petitioner
G022120 v.
Div. 3 Orange County Superior Court, Respondent
S066536 People, Real Party in Interest
 Petition for review DENIED.

4th Dist. Karen Kay Janini et al., Petitioners
G022373 v.
Div. 3 North Orange County Municipal Court, Respondent
S066624 People, Real Party in Interest
 Petition for review DENIED.

4th Dist. Audrey H. Bradley, Petitioner
G022540 v.
Div. 3 Orange County Superior Court, Respondent
S066689 Michael J. Gertner, Real Party in Interest
Petition for review DENIED.

4th Dist. Orange County Water District, Petitioner
G022595 v.
Div. 3 Orange County Superior Court, Respondent
S066660 K P M G Peat Marwick et al., Real Parties in Interests
Petition for review DENIED.

5th Dist. People, Respondent
F025208 v.
S067151 Edward L. Moody, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025344 v.
S066105 Melvin Lewis Collins, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025410 v.
S066391 Jim Otis Sylvester, Appellant
Appellant's petition for review DENIED.

5th Dist. Mario Andrew Lutz, a Minor, etc., Appellant
F025885 v.
S066655 Frederick Joseph Naylor, Appellant
City of Visalia, Respondent
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025922 v.
S066290 Scott Chasson Griggs, Appellant
Appellant's petition for review DENIED.
Mosk, J., Kennard, J., and Werdegar, J., are of the opinion the
petition should be granted.

5th Dist. People, Respondent
F026010 v.
S067087 Raul Monroy, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026171 v.
S067189 David Joe Trammell, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026921 v.
S067100 James Earl Bolden, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026925 v.
S067206 Martin B. Tatoy, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026932 v.
S067232 Jeffers P. Dickey, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026986 v.
S067020 Darren Todd Wheaton, Appellant
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent
F027035 v.
S067140 Lupe Hernandez, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F027391 v.
S067053 Exequiel Ripoyla, Jr., Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent

F027614 v.
S067209 Michael William Hunter, Appellant
 Appellant's petition for review DENIED.

6th Dist. People, Respondent
H013671 v.
S066117 Thomas Alexander Hill, Appellant
 Appellant's petition for review DENIED.

6th Dist. People, Respondent
H014260 v.
S067197 Joseph Stanley Jaiceris, Appellant
 Appellant's petition for review DENIED.

6th Dist. People, Respondent
H014610 v.
S067212 James Timothy Wallace, Appellant
 Appellant's petition for review DENIED.

6th Dist. People, Respondent
H014933 v.
S066308 Vincent Thomas Zuehlke, Appellant
 Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015133 v.
S066576 Elmer Laurance Matthews, Appellant
 Appellant's petition for review DENIED.

6th Dist. Brothers International, Respondent
H015151 v.
S067114 Ted Connolly et al., Appellants
 Appellants' petition for review DENIED.

6th Dist. Robert Palmer et al., Appellants
H015342 v.
S067177 Phillip M. Adelson et al., Respondents
 Petition for review DENIED.

6th Dist. People, Respondent
H015356 v.
S066158 Frank Ramirez, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015613 v.
S066258 Grant Rose White, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015932 v.
S066449 Daniel Rocha, Sr., Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015967 v.
S067001 Dale Jesus Loyola, Appellant
Appellant's petition for review DENIED.

6th Dist. Miguel Vicencio, Sr. et al., Appellants
H016046 v.
S066758 Donald Earl Perrien, Respondent
Appellants' petition for review DENIED.

6th Dist. People, Respondent
H016192 v.
S067219 John Russell Scrase, Appellant
Appellant's petition for review DENIED.

6th Dist. In re Angel M.
H016395 on
S058959 Habeas Corpus
Petition for review DENIED.
The request for an order directing depublication of the opinion is
DENIED.

6th Dist. In re Kimberly Jean Illig
H016415 on
S067128 Habeas Corpus
Petition for review DENIED.

6th Dist. People, Respondent
H016584 v.
S067049 Manuel Miranda Herrera, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Petitioner
H016678 v.
S067230 Santa Clara County Superior Court, Respondent
Donald Robinson et al., Real Parties in Interest
Real Parties in Interest's petition for review DENIED.

6th Dist. Crystal R., a Minor, etc. et al., Petitioners
H016859 v.
S067048 Santa Cruz County Superior Court, Respondent
Colleen C. et al., Real Parties in Interest
Real Parties in Interest' petition for review DENIED.
The request for an order directing depublication of the opinion is DENIED.

1st Dist. Karl Schoen et al., Appellants
A074723 v.
Div. 2 California Department of Forestry & Fire, Respondent
S066248 Louisiana-Pacific Corporation, Real Party in Interest
The requests for an order directing depublication of the opinion in the above entitled cause are DENIED.

1st Dist. People, Respondent
A076048 v.
Div. 5 Michael Danielle Holloway, Appellant
S066251 The request for an order directing publication of the opinion in the above entitled cause is DENIED.

App. Dept. People, Respondent
LACSC v.
BR34594 Ramon Rodrigo Aguilera, Appellant
S066460 The request for an order directing publication of the opinion in the above entitled cause is DENIED.

App. Dept. People, Respondent
LACSC v.
CR19606 John Frias Morales, Appellant
S065788 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. James Waschek et al., Respondents
B095356 v.
Div. 7 State of California, Appellant
S066921 The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.

2nd Dist. Howard C. Morrow, Appellant
B099054 v.
Div. 5 Torrance Bank et al., Respondents
S066407 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. People, Respondent
B099794 v.
Div. 3 Stuart Jay Barlow, Appellant
S066614 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. Brian J. McMahon, Appellant
B105267 v.
Div. 7 El Camino Community College, Respondent
S066382 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. People, Respondent
B106864 v.
Div. 3 Craig Furcron, Appellant
S066601 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

- 2nd Dist. David Yoshioka, Petitioner
B110759 v.
Div. 7 Los Angeles County Superior Court, Respondent
S066491 Glenn Alan Todd et al., Real Parties in Interest
The request for an order directing depublication of the opinion in the above entitled cause is DENIED.
Kennard, J., is of the opinion the request should be granted.
- 2nd Dist. People, Appellant
B110962 v.
Div. 6 John R. Humphrey, Respondent
S066626 The request for an order directing depublication of the opinion in the above entitled cause is DENIED.
- 4th Dist. Zondra Schmidt, Appellant
D023799 v.
Div. 1 Morris Friedkin, Respondent
S066954 The request for an order directing publication of the opinion in the above entitled cause is DENIED.
- 5th Dist. People, Respondent
F027032 v.
S064887 James C. Gamel, Appellant
The request for an order directing publication of the opinion in the above entitled cause is DENIED.
- 5th Dist. People, Respondent
F027429 v.
S066505 Frank Dornay, Appellant
The request for an order directing publication of the opinion in the above entitled cause is DENIED.
- S021683 People, Respondent
v.
Ronald Anthony Jones, Appellant
The time for granting or denying a rehearing in the above cause is hereby extended to and including April 29, 1998, or the date upon which a rehearing is either granted or denied, whichever occurs first.

- S011960 People, Respondent
 v.
 Cynthia Lynn Coffman and James Gregory Marlow, Appellants
 On application of appellant **Cynthia Lynn Coffman** and good
 cause appearing, it is ordered that the time to serve and file
 appellant's opening brief is extended to and including March 2,
 1998.
 No further extensions of time will be granted.
- S064870 Vickey Kraus et al., Respondents
 v.
 Trinity Management Services, Inc. et al., Appellants
 And Companion Case
 On application of appellant and good cause appearing, it is
 ordered that the time to serve and file appellants' reply brief on the
 merits is extended to and including March 4, 1998.
- S063425 Foster-Gardner Incorporated, Appellant
 v.
 National Union Fire Insurance Co. of Pittsburgh, PA. et al.,
 Respondents
 The application of Rhone-Poulenc Inc. for permission to file an
 amicus curiae brief in support of appellant is hereby granted.
 An answer thereto may be served and filed by any party within
 twenty days of the filing of the brief.
- S063425 Foster-Gardner Incorporated, Appellant
 v.
 National Union Fire Insurance Co. of Pittsburgh, PA. et al.,
 Respondents
 The application of California Policyholders for permission to file
 an amicus curiae brief in support of appellant is hereby granted.
 An answer thereto may be served and filed by any party within
 twenty days of the filing of the brief.
- S026845 People, Respondent
 v.
 Thomas Edwin Walker, Appellant
 Respondent's motion to abate appeal, filed on January 8, 1998, is
 granted. As indicated in a certified copy of a certificate of death,

appellant Thomas Edwin Walker died in San Quentin State Prison on November 18, 1997. All proceedings in *People v. Thomas Edwin Walker*, S026485, are permanently abated, and the Superior Court for the County of Alameda is directed to enter an order to that effect in case no. H-10365. (*People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.)

S056734 People, Respondent

v.

Airreque Peevy, Appellant

Respondent's motion to strike appellant's opening brief is denied. Appellant's motion to consolidate his petition for writ of habeas corpus filed December 23, 1996, numbered S058014, with this appeal is denied.

S065531 People, Respondent

v.

Willie Ray Griffin et al., Appellants

Upon request of appellant for appointment of counsel, Sharon G. Wrubel is hereby appointed to represent appellant **Willie Ray Griffin** on his appeal now pending in this court.

S065531 People, Respondent

v.

Willie Ray Griffin et al., Appellants

Upon request of appellant for appointment of counsel, John Bishop is hereby appointed to represent appellant **Leonard Bagsby** on his appeal now pending in this court.

S065531 People, Respondent

v.

Willie Ray Griffin et al., Appellants

Upon request of appellant for appointment of counsel, Michael B. Dashjian is hereby appointed to represent appellant **Lawrence McDonald** on his appeal now pending in this court.

S067079 In re William Robert Anderson, a Member
 of the State Bar of California

 The clerk of this court is hereby ordered to strike the filing of the
above-entitled petition for writ of mandate. (Request for Adoption
of Proposed Amendment to Rule 952.5, California Rules of Court,
S054124, request denied October 23, 1996.)

